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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,604	10/23/2001	Kevin J. Dowling	C01104/70087 (JT)	3464

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LOWRIE, LANDO & ANASTASI
RIVERFRONT OFFICE
ONE MAIN STREET, ELEVENTH FLOOR
CAMBRIDGE, MA 02142

EXAMINER

A, MINH D

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/045,604

Examiner

Minh D A

Applicant(s)

DOWLING ET AL

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/29/03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-322 is/are pending in the application.

4a) Of the above claim(s) 38-52, 57-60, 67, 70, 93-94, 130-142, 153, 158-165, 214-228, 233-236, 243, 247, 310-322
is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7-8, 11.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Continuation of Disposition of Claims: Claims rejected are 1-37,53-56,61-66,68,69,71-92,95-129,143-152,154-157,166-213,229-232,237-242,244-246 and 248-309.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 26, 32, 53, 65, 71, 126, 143, 154, 166, 177, 202, 208, 229, 241, 244, 248 and 306 are rejected under 35 U.S.C. 102(b) as being unpatentable by Abecassis (US 6,553,178).

Regarding claims 1, 26, 32, 53, 65, 71, 126, 143, 154, 166, 177, 202, 208, 229, 241, 244, 248 and 306, Abecassis discloses a display screen, comprising: providing a source of computer application content for display on a display screen; providing an illumination source for illuminating an environment that is related to the display screen; and coordinating the illumination source to illuminate the environment in relationship to the computer application content on the display screen. See figures 1A -14B, col.6, lines 15-67 to col.55, lines 1-24.

Claims 65 and 237 are rejected under 35 U.S.C. 102(b) as being unpatentable by Curtis et al (US 6,560,707).

Regarding claims 65 and 237, Curtis discloses a multimedia coordination system, comprising: providing a computer-based representation of for a solid model, the representation including a capability for modeling the effect of lights, and providing a controller for a light system, the controller controlling the light system to illuminate a

solid model in the real environment in correspondence with modeling illumination of the representation in a virtual environment. See figures 1-9, col.5, lines 29-67 to col.22, lines 1-18.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-25, 27-31, 33-37, 53-56, 65-66, 72-125, 126-129, 144-152, 155-157, 167-176, 178-201, 203-207, 209-213, 229-232, 242, 245-246, 249-305 and 307 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Abecassis (US 6,553,178).

Regarding claims 2-25, 27-31, 33-37, 53-56, 65-66, 72-125, 126-129, 144-152, 155-157, 167-176, 178-201, 203-207, 209-213, 229-232, 242, 245-246, 249-305 and 307, Abecassis discloses the claimed invention except for a limitations such as claims as above. It would have been an obvious matter of design choice to employ a limitations such as claims above, since applicant has not disclosed that, the limitations such as claim above solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the limitations such as claim above solves any stated problem or it has been held to be within the general skill of a worker in

the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

5. Claims 27-31 and 238-240 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Curtis et al (US 6,560,707).

Regarding claims 27-31 and 238-240, Abecassis discloses the claimed invention except for a limitations such as claims as above. It would have been an obvious matter of design choice to employ a limitations such as claims above, since applicant has not disclosed that, the limitations such as claims above solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the limitations such as claim above solves any stated problem or it has been held to be within the general skill of a worker in the art to select a known material or device on the basis of its suitability for the intended use as a matter of obvious design choice.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Walters et al (US 5,895,986) and Yamashita et al. (US 6,087,776) are cited to show a lighting control system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (703) 605-4247. The examiner can normally be reached on M-F (7:30 -4:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (703) 308-4856. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

Examiner

Minh A

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12/15/03


Don Wong
Supervisory Patent Examiner
Technology Center 2800